

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD**

**HA MANAGEMENT AND
OAHU PUBLICATIONS INC. AS JOINT
AND/OR SINGLE EMPLOYERS
d/b/a THE HONOLULU ADVERTISER**

and

**INTERNATIONAL LONGSHORE
AND WAREHOUSE UNION LOCAL 142**

**Cases 37-CA-8074
37-CA-8182
37-CA-8184
37-CA-8185
37-CA-8186
37-CA-8187
37-CA-8188
37-CA-8197
37-CA-8216**

and

**HAWAII PRINTING AND GRAPHIC
COMMUNICATIONS UNION, 413-N;
GRAPHIC COMMUNICATION CONFERENCE/
INTERNATIONAL BROTHERHOOD OF
TEAMSTERS LOCAL 501-M**

**37-CA-8090
37-CA-8115
37-CA-8191
37-CA-8208
37-CA-8212**

and

**HAWAII NEWSPAPER GUILD, LOCAL 39117
CWA, AFL-CIO, CLC**

**37-CA-8194
37-CA-8195**

and

**HAWAII TYPOGRAPHICAL UNION 37
LOCAL 14921 CWA, AFL-CIO**

37-CA-8196

ORDER¹

The Employer's petition to revoke subpoena duces tecum B- 561658 is denied.

The subpoena seeks information relevant to the matter under investigation and describes with sufficient particularity the evidence sought, as required by Section 11(1)

¹ The National Labor Relations Board has delegated its authority in this proceeding to a three-member panel.

of the Act and Section 102.31(b) of the Board's Rules and Regulations. Further, the Employer has failed to establish any other legal basis for revoking the subpoenas. See generally *NLRB v. North Bay Plumbing, Inc.*, 102 F.3d 1005 (9th Cir. 1996); *NLRB v. Carolina Food Processors, Inc.*, 81 F.3d 507 (4th Cir. 1996).²

Dated, Washington, D.C., February 24, 2011

CRAIG BECKER,	MEMBER
MARK GASTON PEARCE,	MEMBER
BRIAN E. HAYES,	MEMBER

² In its petition to revoke, the Employer submits that the subpoena seeks "confidential and proprietary information which would jeopardize the business operations of OPI." The Employer has failed to substantiate the need for confidentiality of the requested information because it has not identified the specific documents that it seeks to shield from disclosure and the specific harm that would flow from such disclosure. However, if its concerns can be substantiated, the Employer may seek, and, in its discretion, the Region may enter into, a confidentiality agreement protecting the information from disclosure during the investigative phase of this case.